

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
UCI.PAU.33

In Re Application Of: **Dmitry E. Protsenko et al.**  
JUL 26 2004

Serial No.  
10/762,639

Filing Date  
01/22/2004

Examiner

Group Art Unit

Invention: **METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE IN TISSUE**

Mail Stop Missing Parts

TO THE COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
04/27/04  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☐ Other (list):

07/27/2004 REB RAHT 00000096 10762639

02 F1:2251

55.00 DP

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TO THE COMMISSIONER FOR PATENTS:

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☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: June 27, 2004                      until: July 27, 2004  
Date    Date

Total time extension fees **\$55.00**

Total fees due **\$120.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
UCI.PAU.33

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Serial No.  
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Invention: **METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE IN TISSUE**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **120** is to be paid as follows:

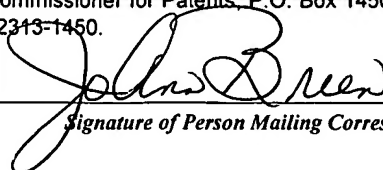
- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **01-1960**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **01-1960**

  
Signature

Dated: **July 22, 2004**

**Daniel L. Dawes, Registration No. 27,123  
MYERS DAWES ANDRAS & SHERMAN LLP  
19900 MacArthur Boulevard, Suite 1150  
Irvine, CA 92612**

I certify that this document and fee is being deposited on July 22, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

**Jo Ann Breen**

Typed or Printed Name of Person Mailing Correspondence

CC:

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**Applicant(s): **Dmitry E. Protsenko et al.**

Docket No.

**UCI.PAU.33**

Serial No.

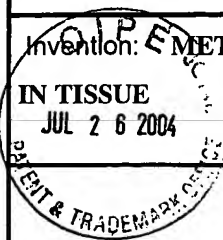
**10/762,639**

Filing Date

**January 22, 2004**

Examiner

Group Art Unit

Invention: **METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE****IN TISSUE****JUL 26 2004**I hereby certify that this **\*PLEASE SEE BELOW\****(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 22, 2004

Enclosed is Response to Notice to File Missing Parts of Application,<sup>(Date)</sup>  
Notice to File Missing Parts of Nonprovisional Application, Signed Declaration and  
Power of Attorneys, Checks, Transmittal of Formal Drawings, 10 Sheets of Formal  
Drawings, Certificate of Mailing by First Class Mail, Postcard  
**Jo Ann Breen**

*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**

**TRANSMITTAL OF FORMAL DRAWINGS**Docket No.  
UCI.PAU.33In Re Application Of: **Dmitry E. Protsenko et al.**

JUL 26 2004

Serial No.

10/762,639

Filing Date

01/22/2004

Confirmation No.

5303

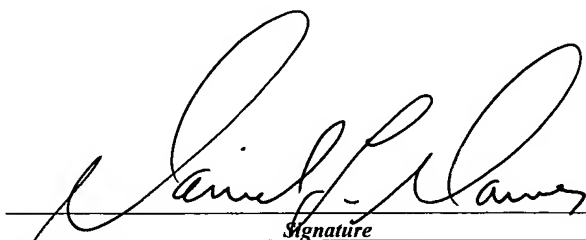
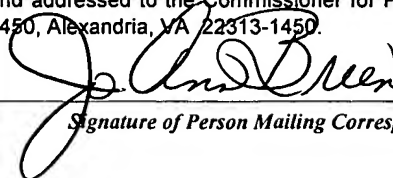
Examiner

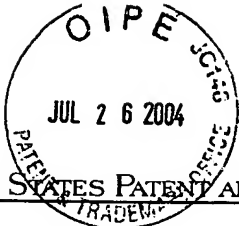
Art Unit

Invention: **METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE  
IN TISSUE**Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith are:

10 sheets of formal drawing(s) for this application.

☒ Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c).  
*Signature*Daniel L. Dawes, Registration No. 27,123  
MYERS DAWES ANDRAS & SHERMAN LLP  
19900 MacArthur Boulevard, Suite 1150  
Irvine, California 92612Dated: July 22, 2004I certify that this document and attached formal drawings  
are being deposited on July 22, 2004 with the  
U.S. Postal Service as first class mail under 37 C.F.R. 1.8  
and addressed to the Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.  
*Signature of Person Mailing Correspondence***Jo Ann Breen***Typed or Printed Name of Person Mailing Correspondence*



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/762,639	01/22/2004	Dmitry E. Protsenko	UC1.PAU.33

Daniel L. Dawes  
MYERS DAWES ANDRAS & SHERMAN LLP  
11th Floor  
19900 MacArthur Boulevard  
Irvine, CA 92612

CONFIRMATION NO. 5303

## FORMALITIES LETTER



\*OC000000012459601\*

Date Mailed: 04/27/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1-6, 10.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

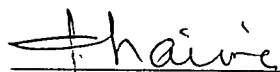
- \$65 Late oath or declaration Surcharge.

07/27/2004 RHEBRAHT 00000096 10762639  
01 FC:2051 65.00 DP

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY